

2 ITT Officials Charged With Lying to Senators

Both Executives Accused of Perjury in Investigation of Firm's and CIA's Role in 1970 Chile Election

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WASHINGTON—The Justice Department Monday charged two executives of International Telephone & Telegraph Corp. with perjury and three other felonious acts in connection with their testimony about ITT's alleged interference in the 1970 Chilean election.

Named in the charges, filed in federal court here, were Edward J. Gerrity Jr., 54, of Larchmont, N.Y., an ITT senior vice president, and Robert Berrellez, 58, of Chatsworth, Calif., ITT's southwest regional manager for public relations and civil affairs.

The charges, filed by criminal informations, did not include Harold S. Geneen, ITT's board chairman and former chief executive, who reportedly also was a target of the lengthy investigation.

A department announcement said: "No other actions arising from this investigation are contemplated."

The charges, under which the two executives, if convicted, face as much as 30 years in prison, seemed to be in contrast to the way the Justice Department treated former Central Intelligence Agency Director Richard M. Helms. Under a plea bargaining arrangement, Helms pleaded no contest last fall to a misdemeanor charge of failing to testify accurately at a Senate hearing on alleged interference in the same Chilean election.

While lawyers for Gerrity and Berrellez could not be reached, ITT said in a statement that the company was confident the executives would be cleared.

Illustrating the stake the firm has in the criminal case, ITT's statement said that the company "knows of no reason why their testimony would

have been other than truthful."

The company, declaring its continued confidence in the integrity of Gerrity and Berrellez, said: "They both continue to serve as valued executives of ITT. We are fully confident they will be found innocent."

The charges revolved around testimony Gerrity and Berrellez gave in the spring of 1973 before the Senate Foreign Relations Committee's subcommittee on multinational corporations, and testimony in June, 1974, before the American Arbitration Assn. in a government-related matter.

Both panels were probing ITT's alleged role in cooperation with the CIA to block the 1970 election of Salvador Allende, a Marxist, as president of Chile.

Gerrity was charged with three counts of perjury, one count of obstructing governmental proceedings, one count of subornation of perjury and one count of making a false statement in a government matter.

The Justice Department charged that Gerrity gave "false and blatantly evasive testimony" about a \$1 million fund purportedly raised to try to bar Allende's election.

Gerrity testified that ITT, rather than covertly raising funds to interfere in the election, wanted to participate in a U.S.-government effort to improve relations with the as-yet-unlected Allende government.

Gerrity was charged in a separate count in the criminal information, with suborning Harold V. Hendrix, formerly ITT's Latin American public relations director, to give untrue material to the Senate subcommittee.

Hendrix, who is no longer with ITT, drew a suspended one-month jail sentence and a \$100 fine after plead-

ing guilty to earlier holding information from Congress.

Hendrix, who is expected to testify for the government, was named as an unindicted coconspirator in the information charging Berrellez.

Berrellez was charged with one count of conspiracy, three counts of perjury, one count of obstructing governmental proceedings, and one count of making a false statement in a governmental matter.

The information alleged that Berrellez conspired with Hendrix and other persons "known and unknown" to obstruct the Senate subcommittee's proceedings, to commit perjury and to defraud the United States.

The Justice Department said that the alleged conspiracy included concealing contacts that Berrellez and Hendrix had with Chileans and CIA agents, removing and concealing tell-tale documents and planning to give "false, deceptive, blatantly evasive and misleading statements and testimony."

Benjamin R. Civiletti, acting deputy attorney general, was asked by reporters why the department filed felony charges against the ITT executives when it was satisfied with a no-contest plea to a misdemeanor charged in the Helms case.

"They are different cases, different facts, different circumstances—and different evaluations, as a result," Civiletti said.

He noted that the Helms' case was resolved by plea bargaining. He would not comment on whether attorneys for Gerrity and Berrellez attempted to resolve their difficulties by bargaining for lower charges.

Civiletti said that Helms "at least in defense had his oath (to protect intelligence sources and methods) and his interpretation of the oath."

"In this circumstance," Civiletti said in reference to Gerrity and Berrellez, "you have private individuals and a private corporation."

Civiletti was asked whether the two ITT executives would not be able to raise the same defense as Helms. The former CIA director alleged that security matters would be revealed in any full-scale trial.

Civiletti said that lawyers for the two men had raised such issues with the department and "they have been considered carefully. I'm sure they (the attorneys) will raise every legitimate issue available to them at the trials."

Civiletti declined comment on a meeting between CIA Director Stans-